

Serial No. 10/026206

- 8 -

Art Unit: 2171

REMARKS

Claims 1-22 are pending in this application. Claims 1-21 were rejected under 35 U.S.C. § 112, claims 1, 11 and 12 were rejected under 35 U.S.C. § 102 as being anticipated by Wilkes, and claims 2-6, 13-16 and 20-22 were rejected under 35 U.S.C. § 103 as being unpatentable over Wilkes in view of Heegard. Claims 1, 3, 5-14, and 17-22 are currently amended. Reconsideration and further examination are respectfully requested.

The presently claimed invention distinguishes the cited references by identifying the content type of a data stream by using a checksum comparison. As discussed at pages 1-2 identification of content type is useful for content switching. Wilkes teaches using a checksum to verify the integrity of data. Col. 1, lines 62-65. Heegard teaches using a checksum to achieve synchronization and detect errors. Abstract. In contrast, the presently claimed invention relates to content switching, and more particularly to a serial search through a data stream. See page 1, lines 20-21. The independent claims have been amended to emphasize this distinguishing feature. For example, claim 1 now recites "a method of determining content type by searching for a character pattern known to be associated with the content type within a data stream ... whereby a match indicates a probability that the data stream includes content of the type associated with the character pattern." Claim 13 distinguishes the cited references by reciting "apparatus that identifies content type by executing searches for a character pattern associated with the content type within a data stream ... whereby a match indicates a probability that the data stream includes content of the type associated with the character pattern." Claim 21 distinguishes the cited references by reciting "a method of searching for a character pattern within a data stream to identify a type of content carried by the data stream ... continuing said shifting another byte, said recomputing, and said comparing until a match exists, whereby a match indicates a probability

Serial No. 10/026206

- 9 -

Art Unit: 2171

that the data stream includes content of the type associated with the character pattern." Claim 22 distinguishes the cited references by reciting "apparatus that searches for a character pattern within a data stream to identify a type of content carried by the data stream ... comparison means coupled to said checksum generator means for comparing said second checksum to said first checksum to determine if a match exists, whereby a match indicates a probability that the data stream includes content of the type associated with the character pattern." For the reasons stated above, claims 1, 13, 21 and 22 are allowable over Wilkes, and withdrawal of the rejections of those claims is respectfully requested.

Claims 2-12 and 14-20 are dependent claims which further distinguish the invention and are allowable for the same reasons stated above with regard to their respective base claims. Claim 3, for example, distinguishes the cited references by reciting a method in which the checksum is computed on data pushed serially through a shift register. The Office asserts that this feature is taught in the Abstract of Heegard, but there is no explicit mention of the technique in that Abstract. Rather, the Office states that a Heegard CRC could be implemented with a shift register. Applicant suggests that the correct standard is whether the cited art shows the invention, not whether the cited reference could be implemented with the structure of the claimed invention. For the reasons stated above, claims 2-12 and 14-20 are allowable over the cited references, and withdrawal of the rejections of those claims is requested.

Numerous §112 rejections were made. Applicant believes the claims as amended are free of these informalities. However, with regard to the rejection of claim 10 based on the term "longer portion" Applicant respectfully traverses. As indicated in the Title, this application describes a Method and Apparatus for Finding Variable Length Data Patterns within a Data Stream. Further, Fig. 3 and the accompanying text at page 6, line 23 to page 8, line 2 describe in

Serial No. 10/026206

- 10 -

Art Unit: 2171

detail operating on a shorter portion before operating on a longer portion. Therefore, withdrawal of the §112 rejections is respectfully requested.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-4001 (X305) so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

December 20, 2004
Date

H. R. A.
Holmes Anderson, Reg. No. 37,272
Attorney/Agent for Applicant(s)
Steubing McGuinness & Manaras LLP
125 Nagog Park Drive
Acton, MA 01720
(978) 264-4001

Docket No. 120-311
Dd: 12/22/2004